

30

02-10-04

Image  
Customer No. 23690

DAC/8

**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (First Entity)**Docket No.  
RDID0063US

In Re Application Of: KITAS, Eric et al.

Serial No.  
09/647,586Filing Date  
December 22, 2000Examiner  
Janet L. Epps-Ford, Ph.D.Group Art Unit  
1635

Invention: NEW COMPOUNDS FOR DNA TRANSFECTION

Attention: Office of Petitions  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified notice or action:

☒ is enclosed. ☐ was filed on \_\_\_\_\_

The proposed reply is in the form of: Amendment and Response

2. ☐ The issue fee:

02/13/2004 AWONDAF1 00000010 500877 09647586

☐ is enclosed. ☐ was paid on \_\_\_\_\_

01 FC:1453 1330.00 DA  
02 FC:1253 950.00 DA

3. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

4. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.  
**RDID0063US**

In Re Application Of: **KITAS, Eric et al.**

Serial No.  
**09/647,586**

Filing Date  
**December 22, 2000**

Examiner  
**Janet L. Epps-Ford, Ph.D.**

Group Art Unit  
**1635**

Invention: **NEW COMPOUNDS FOR DNA TRANSFECTION**

**Calculation and Payment of Fees**

Enclosed are the following fees:

- |  |                             |
|--|-----------------------------|
| 6. <input checked="" type="checkbox"/> Petition fee under 37 CFR 1.17(m) in the amount of:                     | <u>\$1,300.00</u>           |
| 7. <input type="checkbox"/> Fee for amendment in the amount of:  | <u>                    </u> |
| 8. <input checked="" type="checkbox"/> Fee for extension of time to respond to Office Action in the amount of: | <u>\$950.00</u>             |
| 9. <input type="checkbox"/> Issue fee in the amount of:  | <u>                    </u> |
| 10. <input type="checkbox"/> Continuing application filing fee in the amount of:                               | <u>                    </u> |
| 11. <input type="checkbox"/> Terminal disclaimer fee in the amount of:   | <u>                    </u> |
| 12. <input type="checkbox"/> _____   | <u>                    </u> |
| Total fees enclosed: <u>\$2,250.00</u>   |                             |

The fee of **\$2,250** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **50-0877**

**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.  
**RDID0063US**

In Re Application Of: **KITAS, Eric et al.**

Serial No.  
**09/647,586**

Filing Date  
**December 22, 2000**

Examiner  
**Janet L. Epps-Ford, Ph.D.**

Group Art Unit  
**1635**

Invention: **NEW COMPOUNDS FOR DNA TRANSFECTION**

**Statement**

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

  
Signature

Dated:

*2/9/04*

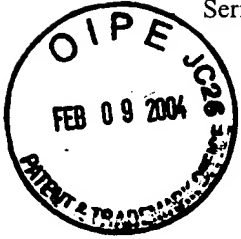
Marilyn Amick, Reg. No. 30,444  
Roche Diagnostics Corporation  
9115 Hague Road, Bldg. D  
Indianapolis, IN 46250

I certify that this document and fee is being deposited  
on \_\_\_\_\_ with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Mail Stop Petition, Commissioner for Patents, P.O. Box  
1450, Alexandria, VA 22313-1450.

*Signature of Person Mailing Correspondence*

*Typed or Printed Name of Person Mailing Correspondence*

CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:     KITAS, Eric *et al.*  
Serial No:                 09/647,586  
Filed:                     December 22, 2000  
For:                       NEW COMPOUNDS FOR DNA TRANSFECTION  
Art Unit:                 1635  
Examiner:                 Janet L. Epps-Ford, Ph.D.

**PETITION FOR REVIVAL OF APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

Mail Stop Petition  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

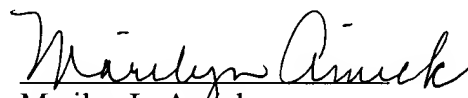
February 9, 2004

Dear Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to the Notice to Comply mailed July 2, 2003. The date of abandonment is January 3, 2004. The entire delay in filing the required reply from January 2, 2004 until the filing of this petition, February 9, 2004, was unintentional, and Applicants hereby petition for revival of this application.

Please charge the Petition fee and the Reply fee to Deposit Account No. 50-0877. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

  
Marilyn L. Amick  
Reg. No. 30,444

Roche Diagnostics Corp.  
9115 Hague Road  
Indianapolis, IN 46250  
Phone: 317-521-7561  
Fax: 317-521-2883

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): KITAS, Eric et al.

Docket No.

RDID0063US

Serial No.

09/647,586

Filing Date

December 22, 2000

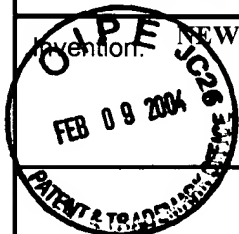
Examiner

Janet L. Epps- Ford, Ph.D.

Group Art Unit

1635

Invention: NEW COMPOUNDS FOR DNA TRANSFECTION



I hereby certify that the following correspondence:

Petition for Revival of Application for Patent Abandoned Unintentionally &amp; Amendment and Response

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

February 9, 2004  
(Date)

Michele Wilson

*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*

EV288801698US

*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**